



Patent US 217
Attorney Docket 032,290-068

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

MARION et al.

Serial No.: 10/714,126

Filing Date: November 13, 2003

**For: DEVICES AND METHODS FOR
CONTROLLING INITIAL
MOVEMENT OF AN
ELECTROSURGICAL ELECTRODE**

Group Art Unit: 3731

Examiner: Not yet assigned

TRANSMITTAL LETTER

Mail Stop Missing Parts
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

I. DOCUMENTS ENCLOSED:

In response to the NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. §371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE, which was mailed by the Patent Office on February 12, 2004, enclosed are:

- Declaration (5 pages).
- Assignment of the invention to Artemis Medical, Inc. (together with PTO Form 1595) (6 pages).
- A copy of the Notification of Missing Requirements under 35 U.S.C. §371.

05/18/2004 SDENB0B1 00000157 502862 10714126

02 FC:2251 55.00 DA

CERTIFICATE OF MAILING (37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450.

May 12, 2004
Date of Deposit
IRI:1054983.1

Cynthia B. Pacheco
Cynthia B. Pacheco

II. REQUEST FOR EXTENSION OF TIME:

The proceedings herein are for a patent application and the provisions of 37 CFR § 1.136 apply.

Applicant(s) petitions for an extension of time under 37 CFR § 1.136 [fees: 37 CFR 1.17(a)(1)-(5)] for the total number of months checked below:

EXTENSION (months)	FEE FOR SMALL ENTITY	FEE FOR OTHER THAN SMALL ENTITY
<input checked="" type="checkbox"/> one month	\$55.00	\$110.00
<input type="checkbox"/> two months	\$210.00	\$420.00
<input type="checkbox"/> three months	\$475.00	\$950.00
<input type="checkbox"/> four months	\$740.00	\$1,480.00
<input type="checkbox"/> five months	\$1,005.00	\$2,010.00

Fee \$55.00

No extension fee is required.

III. FILING FEES

Applicant claims small entity status under 37 C.F.R. §1.27.

BASIC FILING FEE:							\$paid	
Total Claims	30	-	20	=	10	x	\$18.00	\$paid
Independent Claims	6	-	3	=	3	x	\$86.00	\$paid
Multiple Dependent Claims	\$290	(if applicable)				<input type="checkbox"/>	\$0.00	
Surcharge 37 CFR § 1.16(e)	\$130	(if applicable)				<input checked="" type="checkbox"/>	\$130.00	
TOTAL OF ABOVE CALCULATIONS							\$130.00	
Reduction by ½ for Filing by Small Entity. Note 37 CFR §§ 1.9, 1.27, 1.28.						<input checked="" type="checkbox"/>	\$65.00	
Extension of Time (from above)							\$55.00	
Assignment -- \$40 (if applicable)						<input checked="" type="checkbox"/>	\$40.00	
TOTAL FEES SUBMITTED HEREWITH							\$160.00	

IV. METHOD OF PAYMENT OF FEES:

A check in the amount of _____ is enclosed to cover the above fee(s).

Charge Deposit Account No. 50-2862 in the amount of \$160.00. A duplicate copy of this document has been enclosed for processing purposes.

The Commissioner is authorized to charge O'Melveny & Myers' Deposit Account No. 50-2862 for any fees required under 37 CFR §§1.16, 1.17 and 1.445 that are not covered, in whole or in part, by a check enclosed herewith and to credit any overpayments to said Deposit Account No. 50-2862.

Respectfully submitted,

O'MELVENY & MYERS LLP

Dated: May 12, 2004

By: Diane K. Wong
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